

Meeting of 2006-8-14 Regular Meeting

MINUTES  
LAWTON CITY COUNCIL SPECIAL MEETING  
AUGUST 14, 2006 - 6:00 P.M.  
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor John Purcell, Jr.                      Also Present:  
Presiding                      Larry Mitchell, City Manager  
   John Vincent, City Attorney  
   Traci Hushbeck, City Clerk

Mayor Purcell called the meeting to order at 12:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

ROLL CALL

PRESENT:                      Bill Shoemate, Ward One  
   Janice Drewry, Ward Three  
   Keith Jackson, Ward Four  
   Jeff Patton, Ward Six  
   Stanley Haywood, Ward Seven  
   Randy Warren, Ward Eight

ABSENT:                      Rex Givens, Ward Two  
Robert Shanklin, Ward Five

BUSINESS ITEM:

1. Consider an ordinance amending Section 22-2-1-218, Division 22-2-1, Article 22-2, Chapter 22, Lawton City Code, 2005, providing exceptions to the prohibition for fire plug meters during Stage 2 or Stage 3 restrictions, providing for severability, and declaring an emergency. Exhibits: Ordinance 2006-\_\_.

Vincent stated currently if we go into a stage 2 or stage 3 mandatory rationing situations, all fire plug meters are to be removed. That would shut down all of the city public construction contracts and all of the contractors building subdivisions. Therefore, staff proposes that they except for approved subdivision construction plats, public construction contracts and where permits have been issued. By permits, they are talking about earth change or building permits. Staff is recommending that revision to the code and for clarification purposes, the old code said every other day, but what they really mean is on odd and even days based on the street address.

Mitchell stated they felt that it was important that was understood that it was mandatory restrictions so that when staff starts writing citations that everyone has a clear understanding of why they are writing that citation.

Mayor Purcell clarified that there are three exceptions for fire plugs. Two are subdivisions and public construction projects. He requested the City Attorney explain the last exception which is permits that have been issued by the City. He questioned if we issue a permit to everyone who has a water meter.

Vincent stated those are not permits, they pay a fee for the use of the meter. Permits are issued by the License and Permits Division for things like earth change or buildings. He stated staff can clarify those differences.

Mayor Purcell stated they need to make it very clear or they will have people confused because they get permits for many things.

Vincent stated he has no problem including earth change or building permits.

Mitchell stated if the ordinance is approved and the City certifies that we will go to Stage 2, then we will have to notify.

Patton questioned if we would consider some type of an agreement with Lawton Public Schools and the golf course where they may ration their water.

Vincent stated they have inspected the golf course and they have cut the line between their pond and their fire

plug. They have tied the fire plug into their sprinkler system. There is no prohibition for them to pay the tap and meter setting fees and become a permanent member of the Lawton system.

Haywood questioned if the school system could do the same.

Vincent stated the sprinklers at Lawton High School are connected to something underground, so he is assuming that they do have a meter because it is not hooked to the fire hydrant. Anybody that wants to tie into the system on a regular meter can do that. This is just saying we are not going to do these fire plug meters anymore.

Jackson stated he has had some calls regarding the time frame of the restrictions from midnight to noon. The complaints are from working people who get off work at 5:00 p.m. and are in bed by 10:00 p.m. They are gone from the house at 7:00 a.m. and don't have any time to water and they do not have a sprinkler system. He stated they may want to look at 9 - 9.

Warren suggested 6 - 6.

Jackson stated he suggested 9 - 9 because he assumes there is extensive usage from 5 - 10 and he thought it might start slowing down by 9:00 p.m. He can't imagine why anyone would want to water after 9:00 a.m. because of the heat.

Jerry Ihler, Public Works Director, stated that not only is this ordinance for when we have raw water supply, but it is also for when we reach 98% of our capacity at the water treatment plant. He stated they need to restrict the usage during the peak hour and typically our peak usage from the water plant is between 6:00 p.m. to 10:00 p.m. They try to restrict uses during those times.

Drewry asked Ihler if he thought changing it from 9 - 9 would be harmful.

Ihler stated that 9:00 p.m. would be a little early. He stated 10:00 p.m. would be better.

Haywood suggested 10 - 9.

Vincent questioned if he is an even number house, can he water between 10:00 p.m. and midnight and the person who has the odd number house would be able to start watering at midnight. He suggested that 10:00 p.m. starts that day.

Mitchell stated the reality is that they are not going to have that many enforcement issues between those hours. Most of that will be during the day.

Mayor clarified that the City Council agreed to leave the time from midnight to noon.

Warren questioned when they would start enforcement.

Mayor Purcell stated he will sign the proclamation after this meeting.

Warren questioned if they had the ability to write warnings for a few days.

Mitchell stated the reality is that it will take two or three days to gear up for it anyway, so the remainder of the week will be a grace period.

Drewry stated they have let people know that today they will do this.

Mayor Purcell stated they have press releases ready to go.

Mitchell suggested a week from today they start enforcing the restrictions

Vincent stated they will issue warnings now and start issuing citations on Monday, August 21<sup>st</sup>.

The City Council agreed.

Warren asked the City Attorney to clarify the fine.

Vincent stated the fine, in town, for a violation is \$750 and the water bill, for a first offense, will increase 50% for that billing period. The second offense at the same address is another \$750 and the bill will double for the remainder of the water emergency. If there is a third violation, we will pull the meter without notice.

Jackson requested the City Manager clarify how city employees will be enlisted to issue tickets.

Mitchell stated they will put out notice to staff and hold a training session with regards to the procedure of writing tickets. The Neighborhood Services Division will be the primary source for filing those complaints. Public safety employees and street crews will be observers. It is very important that they have a camera to record the violation with a date and time.

Jackson requested an update on the lake levels.

Ihler stated they are currently at the elevation level of 1335.

MOVED by Jackson, SECOND by Shoemate, to adopt **Ordinance 06-55** as amended, waive the reading of the ordinance, read the title only and declaring an emergency. AYE: Drewry, Jackson, Patton, Haywood, Warren, Shoemate. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 06-55

An ordinance pertaining to utilities amending Section 22-2-1-218, Division 22-2-1, Article 22-2, Chapter 22, Lawton City Code, 2005, by providing exceptions to the prohibition for fire plug meters during stage 2 or stage 3 restrictions, providing for severability, and declaring an emergency.

ADDENDUM:

1. Pursuant to Section 10-113, declare an emergency and waive competitive bidding requirements for replacing a pump motor located at Lake Ellsworth. Exhibits: Southwest Electric Company Summary Quote dated 8-10-06.

Ihler stated at the August 8<sup>th</sup> meeting, the City Council approved an emergency and waived the competitive bidding to repair the motor at Lake Ellsworth pump station. Thursday morning they got the pump pulled and took it to Southwest Electric. Once it was opened up, they realized the damage was much greater than originally anticipated. The cost of repairing would be more than the cost of a new motor. Staff is recommending that they waive the competitive bidding and authorize the buying of a new motor. They can get a new motor in a week.

Jackson questioned when all the motors are back on line, will we have a back up motor.

Ihler stated they will actually have three pumps on line. They will rotate the pumps using them two at a time.

MOVED by Drewry, SECOND by Jackson, to declare an emergency and waive competitive bidding requirements for replacing a pump motor located at Lake Ellsworth. AYE: Jackson, Patton, Haywood, Warren, Shoemate, Drewry. NAY: None. MOTION CARRIED.

Mayor Purcell stated as soon as they adjourn and he receives the certification from the Public Works Director, he will sign the proclamation putting stage 2 water restrictions in effect, effective immediately.

There being no further business to consider, the meeting adjourned at 12:31 p.m. upon motion, second and roll call vote.  
JOHN P. PURCELL, JR., MAYOR ATTEST:TRACI HUSHBECK, CITY CLERK